

REMARKS

Applicants' undersigned attorney thanks the Examiner for his comments. In order to expedite the conclusion of prosecution, the claims have been amended in accordance with the Examiner's indication of allowable subject matter.

Independent Claim 11 has been amended to include the limitations of former Claim 57, which the Examiner found allowable. Applicants have canceled Claims 46, 57 and 62. Applicants have amended Claims 58 and 59 to depend from Claim 11. Claim 61 has been amended to positively recite both the strands and the film comprise the adhesive composition, according to page 15, lines 27-32 and Claim 9. Applicants have added Claim 66 reciting limitations of original Claim 14.

Previously presented Claims 64 and 65 were not rejected in the Office Action and depend from independent Claim 63 which the Examiner found allowable. Accordingly, Applicants request a notice of allowability for Claims 64 and 65.

Telephone Interview Summary

Applicants' attorney thanks Examiner Zimmer for his comments and courtesies extended during the 30 May 2007 telephone interview in the subject case. Agreement was reached that amended independent Claim 11 overcomes the rejections. Regarding Claims 64 and 65, agreement was reached on allowable subject matter. Agreement was also reached that new Claim 66 contains allowable subject matter. The Examiner proposed and Applicants adopted language for Claim 61 to positively recite both the strands and the film comprise the adhesive composition. The Examiner clarified that the petition for priority was granted and no further amendments to the specification were required. Agreement was reached that Claims 51 and 52 are not substantial duplicates. The Examiner stated that he may update his search.

a) Claim Objection

The objection of Claim 46 and 52 as substantial duplicates respectively of Claims 22 and 51 under MPEP § 706.03(k) is respectfully traversed. Applicants have canceled Claim 46. Regarding Claims 51 and 52, there is a recited difference between a thermoplastic elastomer and a thermosetting elastomer. This rejection should be withdrawn.

b) Claim Rejection Based on Nesculescu

The rejection of Claims 11-13, 15-24, 38-56, 60-62 under 35 U.S.C. §102(e) as anticipated by U.S. Publication 2004/0005832 (“Nesculescu”) is respectfully traversed. This rejection has been overcome by the foregoing amendment, which presents only claims held to recite allowable subject matter.

Regarding Claim 61, Nesculescu discloses the use elastic strands but not strands made from the Applicants’ specific elastomeric adhesive composition as recited in Claim 61. In order for a reference to anticipate a claim, each and every limitation must be disclosed. In this case, the elastic strands of Nesculescu are not the same composition as Applicants’ elastic strands.

This rejection should be withdrawn.

c) Claim Rejection Based on Udipi

The rejection of Claims 11, 18, 19, 38-41 and 54 under 35 U.S. C. §102(b) as anticipated by U.S. Patent 4,135,037 (“Udipi”) is respectfully traversed. This rejection has also been overcome by the foregoing amendment, which presents only claims held to recite allowable subject matter. This rejection should be withdrawn.


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d) Conclusion

Applicants believe that the claims, as presented, are in condition for allowance. If the Examiner detects any unresolved issues, then Applicants' attorney respectfully requests a telephone call from the Examiner, and a telephone interview.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Maxwell J. Petersen".

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